CASE SUMMARY

Complaint against Agriculture, Fisheries and Conservation Department and Efficiency Unit for Euthanising a Dog Reported Lost

The Complaint

The Agriculture, Fisheries and Conservation Department ("AFCD"), allegedly out of carelessness, failed to keep alive a dog reported lost by the complainant at one of its Animal Management Centres ("AMC"). Furthermore, to cover up its mistake of euthanising the dog, the Department lied that it had been suffering from serious dermatosis. The complainant was also dissatisfied that the 1823 Call Centre under the Efficiency Unit ("EU") did not handle her telephone enquiry properly. They misled her into believing that the person answering her call on transfer was an AFCD officer, so that she did not think it necessary to press for tracing her lost dog.

Sequence of Events

2. On an afternoon in November 2007, the complainant telephoned the Call Centre to report the loss of her brown-white Shih Tzu that morning. She pointed out that the dog, not microchipped or licensed, had a flea collar and a blue nylon collar around its neck. An AFCD officer called her back within 30 minutes, saying that they did not have her dog but would contact her when it was found.

3. Two days later, the complainant telephoned the Call Centre again. The staff indicated that her call would be transferred to the AFCD staff concerned. The latter then advised that there was no need for her to enquire every day because the Department would contact her when her dog was found. However, our inquiries revealed that in fact he was not "AFCD staff", but a Call Centre staff manning the AFCD hotline. Moreover, he did not refer the complainant's enquiry to AFCD for action.

4. Eight days after reporting the loss, the complainant received a call from Staff A of the AMC, that her dog had been found the very afternoon she reported its loss and she could claim it back. Thirty minutes later, however,

Staff B called to say that since the dog had contracted serious dermatosis, it had been euthanised before she could be notified. The complainant queried how her dog could have contracted such disease as it was found on the same day it was reported lost. She went over to inspect its carcass but saw no sign of skin disease or any obvious wound.

5. The complainant was dissatisfied that AFCD had never given her a proper explanation of the incident.

EU Comments

6. Staff at the Call Centre had immediately referred the case to the AMC concerned on receiving the complainant's report. That same day, AMC emailed to the Call Centre that it had replied to the complainant direct. The Call Centre, therefore, assumed the case to be closed.

7. Two days later, the complainant telephoned the Call Centre to ask about her dog again. The staff did say that he would transfer her call to "a staff of the AFCD hotline". As a result, she mistook the person then answering her call to be an AFCD officer. In fact, it was only a staff at the Call Centre responsible for taking enquiries for AFCD. EU apologised for the misunderstanding, while maintaining that its staff had adequately answered the complainant's enquiry according to the information available in its database and telephone system.

AFCD Comments

8. AFCD caught a "cross-bred dog" with grey, brown and white fur at a spot near where the complainant last saw her pet. Upon the dog's arrival at the AMC, a staff member noted down its features and arranged for its detention at a kennel. However, he failed to recognise that it was the complainant's dog.

9. Normally, dogs to be euthanised are those neither reported lost nor microchipped and have been kept at an AMC for more than four days, with no one coming to claim them back during the period.

10. The complainant's dog matched this profile having spent eight days

at the kennel. The staff on duty (Staff A), therefore, put it on the disposal list. However, while checking the lost dog reports, she noticed that the dog might be the one reported by the complainant. She went to the kennel at once and confirmed such to be the case. Accordingly, she crossed out the dog from the draft disposal list (so that it would not be enthanised) and informed the complainant to claim it back. However, her supervisor (Staff B) took her **draft** list and photocopied it for cross-checking at the kennel.

11. In a written statement, Staff A insisted that she had crossed out two entries from the draft list that day, one being that pertaining to the complainant's dog. She had then taken the finalised list to Staff B and pointed at the two crossed out entries, saying that "there were two" (that should stay). She later called the complainant to claim back her dog.

12. There were, however, obvious discrepancies between the statements given by Staff A and Staff B.

13. Staff B stressed that there had been no line "crossing out" any entry when Staff A gave him the list. He suspected that they were marked afterwards.

14. AFCD considered it the result of miscommunication between individual staff members. Had Staff A specifically told Staff B to keep the dog when giving him the list and asked him to confirm that he understood, such misunderstanding could have been avoided.

15. On the allegation that he had lied about the dog contracting serious dermatosis, Staff B maintained he had never said so to the complainant. It was the complainant who had mentioned her dog as having had a history of skin disease. He had only "agreed" to what she had said over the telephone and explained to her that the dog had been euthanised according to AMC established procedures.

16. Internal guidelines require AMC staff concerned (Staff B in this case) to prepare a list for the veterinary surgeons ("the vet") 24 hours before dogs are euthanised. The staff should also conduct a final check together with the vet before disposing of the dogs to ensure that they have not been reported lost.

17. AFCD confirmed that the vet conducting the euthanasia that day had been seconded from another section. Although he did not make a final check with staff B before destroying the dogs, the vet did check the details to ensure the complainant's dog satisfied the conditions mentioned in paragraph 9. No anomalies were detected in the process.

18. As regards why Staff A was the only one who could tell the dog was the complainant's, AFCD explained that it required acute observation and personal experience to identify a dog's features. As such, it was not surprising that only Staff A could identify the dog. Besides, the flea collar and the nylon collar were hidden from sight by the dog's fur, rendering identification more difficult.

Our Observations and Comments

<u>EU</u>

19. According to the service agreement between EU and AFCD, public enquiries would generally be handled first by Call Centre staff on behalf of AFCD, unless they were rather special or complicated and no answer was available in EU's database.

20. This Office considered that in answering enquiries, EU should ensure the information in its database to be accurate. If "outdated", the information would not show the actual situation and thus reduce the chance of finding the lost pets. This was a case in point.

21. This Office further considered that the Call Centre staff's way of expression tended to mislead the complainant into believing that the officer who took her call on transfer was from AFCD. Had the complainant realised that the officer was in fact Call Centre staff, she would have demanded direct contact with AFCD.

<u>AFCD</u>

22. We could not accept AFCD's explanation that its staff did not notice the dog caught was the one reported lost by the complainant because its flea

collar and nylon collar had been hidden from view. According to Staff A’s statement, she could see them on its neck without brushing aside its fur. Had the other staff been more carefully observant, the dog would have been identified earlier.

23. Moreover, we did not accept AFCD’s comments that the incident was only the result of a communication problem among some staff members and had nothing to do with the AMC’s procedures in handling stray dogs. We believed that miscommunication was just one of the factors. The actual cause of the complainant’s dog being wrongly enthanised was deficiencies in AFCD’s procedures for handling animals caught and reported lost. These required improvement.

24. This Office discovered that instead of setting down the procedures to ensure that the animals to be euthanised were not those reported lost, the flow chart in the Procedures for Handling Stray Dogs Caught only listed the conditions for animals to be euthanised. In the absence of clear AFCD guidelines to staff, Staff B had ignored the risk of possible errors and took Staff A’s draft disposal list for checking.

25. This Office also noted that according to the normal procedures, both Staff A and the vet, responsible for preparing the disposal list and conducting the euthanasia respectively, had to verify and sign on the list. However, Staff B was not required to sign, while Staff A did not have to witness the process of euthanasia. As a result, she could only discover afterwards that Staff B and the vet had failed to heed her request to retain the dog.

Conclusion

26. Against this background, The Ombudsman considered the complaint against EU **substantiated**.

27. The Ombudsman considered this case to reveal problems in both the AFCD’s practice in handling and disposing lost animals and the attitude of its staff in carrying out such duties. It was against the principle of caring for animal welfare. The complaint against AFCD was, therefore, **substantiated**.

28. As AFCD explained, many dogs look alike with no distinctive features

and it is not always possible to re-unite lost dogs with their owners. Hence, it is the owners' responsibility to have their dogs licensed as required by law. We agree that had the complainant taken her dog to be microchipped and licensed, the Department would have been able to verify its identity from computer records and inform the complainant to claim it back. This incident of euthanasia by mistake could have been avoided.

Recommendations

29. The Ombudsman recommended that AFCD should:

(i) clarify the duties and work procedures of AMC staff;

(ii) review the existing preparations for disposal of animals and require staff to adhere to the departmental guidelines that the disposal list is submitted to the vet for checking 24 hours before euthanasia. There should also be a final check by the vet before the actual euthanasia;

(iii) forbid staff from photocopying or using any unfinished disposal list before the duty officer completes its checking;

(iv) take photographs of all the animals admitted to an AMC and save them in its computer for the duty officer's ready reference to facilitate identification of lost animals for their owners;

(v) resolve the shortage of vets at AMCs as soon as possible; and

(vi) publicise among owners the importance of having their dogs microchipped.

30. The Ombudsman made the following recommendations to AFCD and EU:

(i) The role of the Call Centre should be reviewed to decide whether it should continue to answer public enquiries on lost animals on behalf of AFCD. If this role is to remain, the Call Centre should take the initiative to give callers the telephone numbers of AMCs for enquiries direct.

(ii) For lost animal reports referred by the Call Centre, AFCD should inform the Call Centre of its reply as soon as possible so that the latter can update its records.

(iii) In case the Call Centre considers it necessary to transfer a call to the “staff manning the AFCD hotline”, they should make it clear to the caller that the transferred call is still answered by Call Centre.

Office of The Ombudsman
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